

BOLIVIA

CERD 26th (A/8418) (1971)

28. From its 56th to its 58th meetings, the Committee proceeded to determine formally its view as a Committee (as distinct from the views expressed at previous meetings, which were those of the individual members) as to which reports were "satisfactory", in the sense that they furnished all or most of the required information, and which reports were "unsatisfactory" or "incomplete" and therefore needed to be supplemented by further information. The initial report (and supplementary report, if any) of each State Party was put before the Committee separately by the Chairman. Where there was no consensus, the question whether a State Party's report (or reports) was "satisfactory" or whether, failing that, the Committee wished to request additional information from that State Party, was decided by vote.

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35. . . . The Committee decided that further information was needed from the following six States Parties, whose initial reports were considered "incomplete" or "unsatisfactory": Bolivia . . .

CERD 30th No. 18 (A/10018) (1975)

83. Most members of the Committee noted that the second periodic report of Bolivia was more informative than the initial report and the subsequent communication from Bolivia which were considered at the fourth and tenth sessions, respectively. However, they were of the opinion that much of the information contained in the second periodic report was at best of indirect relevance to the provisions of the Convention, while most of the information required under article 9 of the convention was lacking. Apart from the text of article 6 of the Constitution, there was no information on the legislative, judicial, administrative or other measures giving effect to the provisions of the Convention. The report contained no information that indicated compliance by the reporting State with its obligations under articles 2, paragraphs 1 (c) and 2, 4, paragraphs (a) and (b), 5, 6 or 7 of the Convention. The information envisaged by the Committee in general recommendations III (concerning relations with racist regimes) and IV (concerning the composition of the population) was not supplied. Nor did the report take into account the comments made by members of the Committee at its tenth session, when a communication from Bolivia was considered. ^{18/} Finally, the report was not organized on the basis of the guidelines laid down by the Committee at its first session.

84. Several members commented on the opening statement in the report, to the effect that, in Bolivia, there is no statutory provision sanctioning discrimination, since there is no racial discrimination in any form. It was their unanimous view that even a satisfactory de facto situation did not remove the need for the sanction of certain laws, particularly in connection with such articles of the Convention as article 4 which are mandatory in nature and which require positive legislative measures.

85. The representative of Bolivia stated that she would convey the comments of the members of the Committee to her Government, which would have no objection to submitting fuller information in subsequent reports.

^{18/} [See Official Records of the General Assembly], Twenty-ninth Session, Supplement No. 18 (A/9618), paras. 178 and 179.

CERD A/31/18 + Corr.1 (1976)

32. The third periodic report of Bolivia consisted of the statement that no provisions of any kind have been enacted, since no racial problems exist or ever existed in Bolivia.

33. The Committee recalled that, during its consideration of the second periodic report of Bolivia, it had noted that the Government of the reporting State had not provided in that report (or in its initial report) any information on the implementation of articles 2 (paras. 1 (c) and 2), 4, 5, 6 and 7 of the Convention nor the information envisaged in general recommendations III and IV. The Committee also recalled that, on that occasion, the representative of the Government of Bolivia had stated that her Government would have no objection to submitting fuller information in subsequent reports. The Committee therefore regretted that the third periodic report of Bolivia did not contain any information required under article 9 of the Convention or envisaged in the relevant general recommendations of the Committee, particularly since such information had already been requested by the Committee during its consideration of the previous reports of Bolivia.

34. The Committee once again requested the Government of Bolivia to supply it with detailed and specific information on legislative, judicial, administrative and other measures giving effect to the provisions of articles 2, 4, 5, 6 and 7 of the Convention as well as the information referred to in general recommendations III and IV. In addition, some members expressed the wish that the next report of Bolivia would contain information concerning measures to solve the economic problems creating inequality among Bolivian citizens.

35. It was suggested that the Government of Bolivia should be asked to prepare a supplementary report for consideration by the Committee at its fourteenth session containing - in addition to the information already requested - replies to questions raised by members of the Committee during the consideration of Bolivia's successive reports.

36. In his statement before the Committee, the representative of the Government of Bolivia made general comments regarding the application of articles 2 (para. 1 (c)), 4, 5 and 6 of the Convention in his country. Regarding the demographic information envisaged in general recommendation IV, he informed the Committee that there was shortly to be a general census which would make it possible for his Government to obtain, and to transmit to the Committee, information on the ethnic composition of the population. He reaffirmed the statement contained in his Government's report, to the effect that there was no racial discrimination in his country, and added that - as a consequence of great poverty - there was social inequality, which his Government was trying to combat with measures accelerating development and ensuring better distribution of wealth.

37. The representative of the Government of Bolivia said that he accepted that his Government had not fulfilled all its obligations and must submit a more detailed report. He undertook to recommend to his Government that an additional report should be prepared before the Committee's following session.

38. The Committee decided to take note of the intention of the representative of the Government of Bolivia to recommend to his Government that it should prepare an additional report for the following (fourteenth) session.

39. By the end of the fourteenth session, however, the expected report had not been received.

CERD A/33/18 (1978)

128. The fourth periodic report of Bolivia was considered by the Committee together with the information given by the representative of the reporting State in his introductory statement.

129. It will be recalled that, when it considered Bolivia's initial report at its fourth session, the Committee decided to request that State to submit another report containing further information and organized along the guidelines established by the Committee. When the Committee considered at its tenth session the communication it had received in response to that request which stated: "We had not considered it necessary to send the report in question because there are no conflicts or problems of this nature in Bolivia", it decided to request once more the Government of Bolivia to submit a report in compliance with the requirements of article 9, paragraph 1, of the Convention (A/9618, paras. 178 and 179). At its eleventh session, the Committee found that the second periodic report of Bolivia lacked information on most of the substantive provisions of the Convention; and the Bolivian representative assured the Committee that her Government, "would have no objection to submitting fuller information in subsequent reports". 17/ The third periodic report, consisting of the statement that "no provisions of any kind have been enacted, since no racial problems exist or ever existed, in Bolivia", was considered by the Committee at its thirteenth session; and the Committee again requested the Government of Bolivia to furnish it with information on the implementation of articles 2, 4, 5, 6 and 7 of the Convention as well as the information referred to in general recommendations III and IV. The representative of Bolivia told the Committee that "he accepted that his Government had not fulfilled all its obligations and must submit a more detailed report" and undertook "to recommend to his Government that an additional report should be prepared before" the fourteenth session (A/31/18 and Corr.1, paras. 32 - 39).

130. It was against this background that some members of the Committee expressed their regret that the fourth periodic report of Bolivia supplied no specific information and merely restated that "in Bolivia there is no legal provision concerning the elimination of racial discrimination" and asserted that, since "Bolivians receive equal treatment" and "this equality is embodied in the Political Constitution", and since "there is neither official nor unofficial discrimination", it had not "proved necessary to eradicate any practices or customs in this connection".

131. The mandatory obligations of the Convention, including those which States parties had undertaken to implement regardless of whether or not racial discrimination was actually practised in their territories, were recalled by members of the Committee. It was observed that the alleged non-existence of certain criminal activities did not excuse a Government from enacting legislation to prohibit such activities. And it was reaffirmed that constitutional provisions relating to equality and other norms had no meaning unless there existed legislative measures to implement those norms.

17/ [See Official Records of the General Assembly], Thirtieth Session, Supplement No. 18 (A/10018) , paras. 83 - 85.

132. Some members of the committee noted with appreciation the information supplied by the Bolivian representative in his opening statement but hoped that the next periodic report of Bolivia would refer to, and expand, that information. It was observed, however, that the presentation of oral information through the representative of a State party was no substitute for a well-presented and correctly submitted report. And it was wondered why the Government of Bolivia had not included in its report the information given orally by its representative to the Committee.

133. The representative of Bolivia reaffirmed that his Government had passed no legislation against racial discrimination because there was no racial discrimination of any kind in Bolivia. Observing that some members of the Committee apparently wanted the Bolivian Government to supply a list of laws and provisions to deal with non-existent offences, he recalled that States were free to choose their own methods and systems to ensure respect for and compliance with the provisions of their fundamental laws. Finally, he stated that he would convey to his Government the views expressed in the Committee.

CERD A/39/18 (1984)

168. The fifth, sixth and seventh periodic reports of Bolivia, submitted in one document (CERD/C/107/Add.1), and supplementary information (CERD/C/107/Add.5) were considered by the Committee together with the introductory statement of the representative of the reporting State, who pointed out that Bolivia's current Constitution, adopted in 1967, guaranteed the equality of citizens without distinction as to race or religion. He stated that in October 1982 Bolivia had returned to a democratic system of government under which human rights and fundamental freedoms were guaranteed. Of the 5.8 million citizens, 60 per cent lived in rural areas and 40 per cent in the cities. The 1976 census indicated that 17 per cent of the population spoke only Quechua, 8 per cent only Aymara and 30 per cent only Spanish, and that 43 per cent was bilingual, while 2 per cent spoke various, primarily Guarani-based languages. Linguistic differences did not amount to racial differences. Spanish, Aymara and Quechua were the country's official languages; they were used in Parliament, the schools and the mass media. He recognized that, though there was no racial discrimination in the country, there were inequities in the availability of public services owing to the development problems Bolivia was facing. That was why the Government was planning to invest heavily over the next three years in social programmes designed to raise the standard of living. He added that Bolivia had always repudiated apartheid and had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Slavery Convention in 1983.

169. The Committee commended the Government of Bolivia for the sincerity of its reporting and emphasized the need to continue its dialogue with the Committee. It thanked the Bolivian representative for the significant clarifications and additional information he had provided in his introductory statement and requested that that type of information, as well as information on the ethnic composition of the population, be included in Bolivia's next report. The Committee observed that although the report contained comprehensive information on the implementation of article 5 it lacked information regarding the implementation of articles 2, 3, 4, 6 and 7 of the Convention.

170. In relation to article 4, the Committee recalled that in 1978 it had informed the Bolivian Government of its obligation to incorporate penal provisions in its legislation to cover acts of racial discrimination and incitement to such acts. It was underlined that article 4 of the Convention was not self-executing and that States parties must introduce legislation indicating which acts were punishable and what the penalties were.

171. As far as article 5 was concerned, the Committee noted that it was not clear from the report whether indigenous communities were free to form labour unions or whether there was only one labour union organized by the State. The Committee requested further information regarding the participation of the indigenous communities in the programmes set up for their benefit. In particular, it wished to know more about the implementation of article 125 of Decree-Law No. 03464 which implied that there were certain restrictions on rural communities. The Committee pointed out that such an approach introduced an element of discrimination and asked whether there were any obstacles which prevented the Government from encouraging the rural communities to participate fully in their own development.

172. In reply to questions raised regarding the demographic composition of the population, the representative of the reporting State explained that the distribution of the population on the basis of cultural or ethnic groups was not very precise and, since 1952, there had been a tendency to regard the population as being either urban or rural. Generally speaking, rural workers tended to be identified as either urban or rural. Generally speaking, rural workers tended to be identified as either Aymaran or Quechuan.

173. With regard to article 3, he informed the Committee that Bolivia had no cultural or trade relations with South Africa.

174. In connection with questions raised about the implementation of article 4, he stated that, though no specific laws existed to punish attempts to justify or promote racial hatred or theories of racial superiority, the State possessed sufficient legal means under the Bolivian Constitution, and in particular article 6, to compel adherence to the principle of equality. Bolivia had incorporated the Convention in its body of law and any aggrieved party could invoke the Convention when seeking justice before the courts.

175. With reference to questions raised under article 5, he stated that currently trade unions enjoyed total independence and were organized into federations within the Central Obrera Boliviana (COB). Following land reform, more than 400,000 private property deeds had been distributed; each community, however, owned the communal land which represented the larger part of the former hacienda; the product of the communal land supported schools and health and other services. A fundamental element of his Government's policy was to encourage joint management and joint ownership arrangements with workers. It was intended that rural workers should participate in the future planning of all rural projects. Whereas 36 per cent of the gross national product was produced in rural areas, 74 per cent of investments made under the new development programme were channelled to those areas. He explained that citizens and resident foreigners enjoyed full freedom to settle in any part of the national territory. For security reasons, foreigners who were not residents of Bolivia were not permitted to own property within 50 kilometers of Bolivia's frontier with any other country. Bolivia viewed the plight of refugees sympathetically and had opened its doors to those seeking asylum from other countries without applying any ethnic or racial restrictions in connection with their entry.

CERD A/51/18 (1996)

265. The Committee examined the eighth, ninth, tenth, eleventh, twelfth and thirteenth periodic reports of Bolivia, which were submitted in a single document (CERD/C/281/Add.1), at its 1157th and 1160th meetings, held on 5 and 7 August 1996 (see CERD/C/SR.1157 and 1160). In the light of the examination of the report and the observations made by the members of the Committee, the Committee, at its 1176th meeting, on 19 August 1996, adopted the following concluding observations. 8/

A. Introduction

266. While the Committee regrets the long period, since 1983, during which no reports were submitted by the State Party, it welcomes the submission of the combined eighth, ninth, tenth, eleventh, twelfth and thirteenth periodic reports. The Committee expresses appreciation for the frank manner in which the report addresses the actual situation in Bolivia. It also expresses its appreciation for the additional information provided by members of the State Party's delegation and for their willingness to engage in a constructive dialogue with the Committee. The information contained in the report and in the oral answers to its questions allowed the Committee to obtain a clearer view of the overall human rights situation in the State Party with respect to racial discrimination.

267. The Committee notes that the State Party has not made the declaration provided for by article 14 of the Convention; some members of the Committee requested the State Party to consider the possibility of making such a declaration.

B. Factors and difficulties affecting the implementation of the Convention

268. Note is taken, with concern, of the conditions of extreme poverty principally affecting members of the indigenous population. Poverty is evident in the lack of access to some basic services, such as provision of clean water, medical care, education and electricity.

269. The high rate of illiteracy and the fact that the national language, Spanish, is spoken by only 44 per cent of the population, and the large number of languages and dialects spoken in the country are noted with concern, as they make communication difficult between the various ethnic groups and, in many cases, place indigenous persons at a disadvantage in the defence of their human rights.

8/ The Committee takes note of the document submitted by the Government of Bolivia on 21 August 1996 concerning legislative proposals made by the Ministry of Justice for the elimination of all forms of racial discrimination. This document can be considered by the Committee when Bolivia submits its next periodic report.

270. Concern is also expressed about the complex problem of drug trafficking and, in the rural areas, drug production, principally affecting members of the indigenous population, which the Government, faced with economic problems and violations of the law, as well as external pressures, is struggling to eradicate.

C. Positive aspects

271. The progress made in stabilizing the national economy is welcomed, as are the Government's efforts to reduce the great disparities between the level of development of the capital and other urban areas relative to the remote rural areas of Bolivia.

272. In addition, the Law on Popular Participation of 1994 is welcomed for its recognition of indigenous communities as juridical persons and granting to such communities the power to engage in certain activities independently of the central authorities. These include the capacity to contract public projects and to receive international assistance for local development.

273. The abolition of the practice of debt imprisonment is welcomed. This practice by definition has affected the poorer sectors of society and consequently has had important racial implications.

274. The new measures to provide maternity care and medical care for infants until the age of five years, under Supreme Decree 24,303, are welcomed and considered to be in conformity with article 5 (e) of the Convention.

275. The protection of the indigenous population should be improved by the planned adoption of legal provisions for the establishment of various institutions with specific areas of responsibility in the protection of human rights, including the National Organ for Minors, Women and the Family and the Sub-Secretariat on Human Rights in the Ministry of Justice. The post of a national human rights ombudsman envisioned in the constitutional reforms of 1994 is also welcomed.

D. Principal subjects of concern

276. Deep concern is expressed over the lack of legislative provisions classifying as an offence punishable by law the dissemination of ideas based on racial superiority or hatred, acts of violence or incitement to violence against any race or group of persons of another colour or ethnic origin and the provision of assistance to racist activities, as required under article 4. In this connection, attention is drawn to the fact that failure to take such action impairs implementation of article 6 on the right to effective protection and remedy.

277. Attention is drawn to article 5 (c), in accordance with which all persons have the right to have equal access to the public service. In this regard, regret is expressed that the law on the public service, adopted in 1992, does not expressly prohibit racial discrimination in the selection of public servants.

278. Note is taken of the disparities in the access to economic, social and cultural benefits by different

ethnic groups. While the difficulties in providing such benefits to regions far removed from the capital are appreciated, the disproportionate effects that may hinder the relative development of different communities are of deep concern, as they can perpetuate racial discrimination towards disadvantaged groups.

279. With respect to article 7, it is considered that insufficient information was made available concerning efforts in teaching and education to combat prejudices which lead to racial discrimination and to promote understanding, tolerance and friendship, as required under this article.

280. It is noted with regret that quantitative information regarding the ethnic composition of the population, the geographic areas where minority communities are concentrated, the level of their standard of living and other educational and social indices was not provided in the present report. Such information is essential for the Government itself to detect possible patterns of discrimination and for the Committee to monitor effectively the implementation of the Convention.

E. Suggestions and recommendations

281. The Committee urges the Government to consider its obligations to make all forms of racial discrimination, as specified in article 4 of the Convention, punishable by law. In this respect, it notes with satisfaction the indication that the government would welcome technical assistance towards this end. The Committee recommends that the Government avail itself of the technical cooperation services of the Centre for Human Rights of the United Nations.

282. The Committee recommends that information regarding the ethnic composition of the population, the geographic areas where minority communities are concentrated, the level of their standard of living and other educational and social indices be provided in the next report, which should be an updating report focused on those questions and subjects of concern raised by the Committee during the examination of the present report. It also requests that the next report include data on the indigenous communities that are affected by the drug trafficking and how the Government's policies and programmes are affecting those groups. It will be appreciated if that information includes the amount of land withdrawn from coca production, the amount of land continuing to produce coca, the number of persons affected and the ethnic origin of those persons, as well as the effects of the Government's programmes on their living standards. If it is considered that assistance in this area would be helpful, the Committee recommends that the Government request technical assistance from the Centre for Human Rights with respect to the collection and analysis of data.

283. The Committee recommends that the next periodic report contain detailed information concerning the draft bill on land reform. It requests that the report explain how demands for sustainable development, for the promotion of agriculture and for protection of the rights of the indigenous and peasant communities will be reconciled in the draft bill.

284. The Committee urges that immediate attention be paid to the development of rural areas where many indigenous communities are situated. It encourages the Government to consider expansion of the

economic and social infrastructure to enable those communities to be provided with access to clean water, energy, medical care, education, and other essential services and , in this regard, it calls special attention to the situation of the Guarani people. The Committee encourages the Government to seek international assistance towards this end.

285. The Committee strongly recommends that the next periodic report include information regarding any measures taken to remedy the problems outlined in the report concerning judicial sentencing. In particular, the Committee requests information concerning the number of complaints of racial discrimination which have been made and examples of sentencing to be included in the next periodic report to gain a better understanding of the way in which the judicial system implements the obligations of the State under the Convention.

286. The Committee recommends that the next periodic report include information on how the Law on University Reform and other related measures will affect minority students and communities.

287. The Committee recommends that the State Party consider how it may implement the working provisions of article 7 and incorporate in the school curricula and the training of persons in the public service appropriate instruction to effectively combat prejudice and promote tolerance.

288. The Committee recommends that the State Party ratify at its earliest convenience the amendments to article 8, paragraph 6, of the Convention, adopted by the 14th meeting of States Parties.

289. The Committee recommends that the next periodic report of the State Party due on 22 October 1997, be updating in character and that it address all the points raised in the present concluding observations.

CERD A/58/18 (2003)

327. The Committee considered the fourteenth to sixteenth periodic reports of Bolivia (CERD/C/409/Add.3), which were due from 1997 to 2001, submitted as one document, at its 1594th and 1595th meetings (CERD/C/SR.1594 and 1595), held on 11 and 12 August 2003. At its 1610th meeting (CERD/C/SR.1610), held on 21 August 2003, it adopted the following concluding observations.

A. Introduction

328. The Committee welcomes the report submitted by the State party and the additional oral and written information provided by the delegation. It regrets, however, that this new additional written information was submitted late, and members were unable to examine it before the dialogue with the delegation.

329. The Committee expresses appreciation for the helpful responses provided by the delegation of the State party and for its willingness to engage in a constructive dialogue with the Committee. Furthermore, the Committee welcomes the fact that the State party's delegation was headed by the Vice-Minister of Indigenous Affairs.

B. Factors and difficulties impeding implementation of the Convention

330. The Committee notes that, despite the State party's considerable progress and outstanding efforts, Bolivia remains one of the poorest and least developed countries in Latin America. According to the poverty indicators of 2002, 64.3 per cent of the population lives below the poverty line (53.3 per cent of the population of the urban areas and 82.1 per cent of the population of rural areas). The Committee is particularly concerned about this data and underlines that the discrepancy between urban and rural areas especially affects indigenous peoples and their daily living conditions.

C. Positive aspects

331. The Committee acknowledges that the extensive and detailed report of the State party is, in general, in conformity with the reporting guidelines and that it addresses some of the concerns and recommendations formulated by the Committee after the consideration of the previous report.

332. The Committee notes with satisfaction that Bolivia is a party to a range of international human rights instruments, including International Labour Organization, Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

333. The Committee welcomes the numerous measures undertaken for the promotion and protection of human rights, including the recognition in the new Constitution of 1995 of Bolivia as a multi-ethnic

and multicultural State, the recent establishment of the post of Ombudsman (Defensor del Pueblo), the entry into force in 1999 of the new Penal Procedure Code and the approval of the gender equality plan 2003-2007. The Committee also notes with appreciation the establishment in each municipality of an Ombudsman for Children and Adolescents.

334. As to article 2 of the Convention, the Committee takes note with satisfaction of the information that local offices attached to the Ministry of Justice and Human Rights have been opened to receive complaints of human rights violations.

335. The Committee commends the State party's efforts aimed at ensuring that members of the indigenous peoples - which, according to the 2001 census, represent 61.8 per cent of the whole population - are free and equal in dignity and rights and free from any discrimination, including legal provisions aimed at recognizing the title to and ownership of land of indigenous groups and individuals as well as the right to exclusive benefit of renewable natural resources situated on their lands. In this respect, the Committee especially welcomes the establishment of the Agrarian Court.

336. While the Committee is seriously concerned about the information that a "neo-Nazi" meeting was scheduled to take place in April 2001, as well as about the existence of such a phenomenon in the country, it welcomes the measures taken by the State party which managed to prevent this gathering taking place, in conformity with article 4 (b) of the Convention.

337. The Committee also takes note with appreciation of the steps taken to give adequate recognition to indigenous languages.

D. Concerns and recommendations

338. The Committee regrets the paucity of information as to article 4 of the Convention and notes with concern the lack of legislative provisions punishing the dissemination of ideas based on racial superiority or hatred, as well as acts of violence or incitement to violence and the organizations promoting racial discrimination, as required under article 4 of the Convention.

In this regard, the Committee reiterates its previous recommendation urging the State party to fulfil its obligation to make all forms of racial discrimination, as specified in article 4 of the Convention, punishable by law.

339. While welcoming the State party's efforts aimed at ensuring the enjoyment and exercise of the rights of indigenous peoples through the adoption of constitutional, legal and institutional reforms, the Committee notes with concern the information received on the issue of indigenous lands allegedly allotted to private companies, especially in the communities of Chiquitano, Beni and Santa Cruz.

The Committee invites the State party to implement consistently in practice the commendable legislation it adopted in order to recognize the fundamental rights of indigenous peoples and to improve their living conditions. In this regard, the Committee draws the attention of the State

party to its general recommendation XXIII which, inter alia, calls upon States parties to recognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and resources and, where they have been deprived of their lands and territories traditionally owned or otherwise inhabited or used without their free and informed consent, to take steps to return those lands and territories.

340. The Committee is also concerned about reports that human rights defenders providing assistance to members of indigenous groups in the context of land disputes continue to be threatened and harassed by police officers, especially in the region of Chapare.

The Committee recommends that the State party take all necessary measures for the protection of human rights defenders against any violence, threats, retaliation, de facto discrimination, pressure or any arbitrary action as a consequence of their activities. In this regard, the Committee recalls its general recommendation XIII on the training of law enforcement officials in the protection of human rights and encourages the State party to improve the training of law enforcement officials, especially police officers, so that the standards of the Convention are fully implemented.

341. The Committee notes the lack of information regarding the Afro-Bolivian community which, according to the information received, accounts for around 31,000 individuals situated at the lower end of the socio-economic scale and who face severe disadvantages in health, life expectancy, education, income, literacy, employment and housing. The Committee further notes that there are no specific provisions making reference to this group in the domestic legislation.

The Committee recommends that the State party adopt measures with a view to ensuring to members of the Afro-Bolivian community the full enjoyment of the rights enumerated in article 5 of the Convention and that it provide information in this respect in its next periodic report, in particular on their standard of living and other educational and social indices.

342. While understanding the need for policies aimed at reducing the illegal production and trafficking of coca, the Committee is concerned about the possible negative consequences of these policies, particularly for members of the indigenous communities.

In this regard, the Committee recommends that the State party provide in its next periodic report additional and more specific information on the amount of land withdrawn from coca production, the alternative ways of cultivating or utilizing this land, the amount of land continuing to produce coca, the numbers of persons affected and the ethnic origin of those persons, as well as the impact of the State party's policies on their living standards.

343. The Committee notes the lack of information on the legislative, judicial, administrative or other measures which give effect to the provision of article 6 of the Convention. The Committee reminds the State party that the mere absence of complaints and legal action by victims of racial discrimination may be mainly an indication of the absence of relevant specific legislation, or of a lack of awareness of the

availability of legal remedies, or of insufficient will on the part of the authorities to prosecute.

The Committee requests the State party to ensure that appropriate provisions are available in national legislation and to provide the public with adequate information about all legal remedies in the field of racial discrimination. The Committee further requests that the State party include in its next periodic report statistical information on prosecutions launched, and penalties imposed in cases of offences which relate to racial discrimination and where the relevant provisions of the existing domestic legislation have been applied.

344. Regarding article 7 of the Convention, the Committee encourages the State party to make additional efforts to disseminate the Convention and other international human rights instruments in the main languages.

345. The Committee encourages the State party to consult with organizations of civil society working in the area of combating racial discrimination during the preparation of the next periodic report.

346. The Committee notes that the State party has not made the optional declaration provided for in article 14 of the Convention and urges that it consider doing so.

347. The Committee strongly recommends that the State party ratify the amendments to article 8, paragraph 6, of the Convention, adopted on 15 January 1992 at the Fourteenth Meetings of States Parties to the Convention and endorsed by the General Assembly in its resolution 47/111. In this connection, the Committee refers to General Assembly resolution 57/194 of 18 December 2002, in which the Assembly strongly urged State parties to accelerate their domestic ratification procedures with regard to the amendment and to notify the Secretary-General expeditiously in writing of their agreement to the amendment.

348. The Committee recommends that the State party take into account the relevant parts of the Durban Declaration and Programme of Action when implementing the Convention in the domestic legal order, in particular in respect of articles 2 to 7 of the Convention, and that it include in its next periodic report information on action plans or other measures taken to implement the Durban Declaration and Programme of Action at national level.

349. The Committee recommends that the State party's reports be made readily available to the public from the time they are submitted and that the observations of the Committee on these reports be similarly publicized.

350. The Committee recommends that the State party submit its seventeenth periodic report jointly with its eighteenth periodic report, due on 21 October 2005, and that it address all points raised in the present concluding observations.